



# PUBLIC NOTICE

Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

News Media Information 202-418-0500  
Internet: [www.fcc.gov](http://www.fcc.gov)  
TTY: 888-835-5322

DA 23-1132

Released: December 5, 2023

## WIRELESS TELECOMMUNICATIONS BUREAU ADOPTS FINAL DEADLINES FOR SUBMISSION OF C-BAND REIMBURSEMENT CLAIMS

GN Docket No. 18-122

### I. INTRODUCTION

With this Public Notice, the Wireless Telecommunications Bureau (WTB or Bureau) adopts two final reimbursement claims submission deadlines by which eligible incumbents and other eligible stakeholders are required to submit any outstanding transition-related claims to the C-band Relocation Payment Clearinghouse (RPC) for processing as part of the ongoing transition of the 3.7-4.2 GHz band (C-band).<sup>1</sup> On October 13, 2023, the Bureau issued a Public Notice seeking comment on certain proposals advanced by the RPC, AT&T, Verizon, and SES relating to the conclusion of the C-band transition reimbursement program and wind down of the RPC's operations.<sup>2</sup> After review of the record, we adopt: (1) **February 5, 2024**, as the submission deadline to the RPC for all reimbursement claims for costs incurred and paid by claimants as of December 31, 2023, including all lump sum election claims by incumbent earth station operators; and (2) **July 1, 2024**, as the submission deadline to the RPC for all reimbursement claims for costs incurred and paid by claimants after December 31, 2023.<sup>3</sup> We defer action on other proposals as detailed below.

---

<sup>1</sup> See *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, Report and Order and Order of Proposed Modification, 35 FCC Rcd 2343 (2020) (*3.7 GHz Report and Order*). In the *3.7 GHz Report and Order*, the Commission adopted rules to make 280 megahertz of mid-band spectrum available for flexible use throughout the contiguous United States by transitioning existing services out of the lower portion of the band and into the upper 200 megahertz of the C-band. *Id.* The Commission required new 3.7 GHz Service licensees to reimburse the reasonable relocation costs of eligible Fixed Satellite Service (FSS) space station operators, incumbent FSS earth station operators, and incumbent Fixed Service licensees (collectively, incumbents) to transition out of the band. *Id.* at 2391, 2465-66, paras. 111, 326.

<sup>2</sup> *Wireless Telecommunications Bureau Seeks Comment on the C-band Relocation Payment Clearinghouse's Proposal to Set Final Deadlines for Submission of Reimbursement Claims*, GN Docket No. 18-122, Public Notice, DA 23-958 (WTB 2023) (*RPC Proposed Deadline Comment PN*); see also Relocation Payment Clearinghouse LLC's Program Status Update and Request for Establishment of Claims Deadlines, GN Docket No. 18-122 (filed Oct. 6, 2023) (RPC Request); Letter from Raquel Noriega, AVP-Federal Regulatory, AT&T Services, Inc., and Rachael Bender, Vice President and Associate General Counsel, Verizon, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed Sept. 14, 2023) (AT&T/Verizon Joint *Ex Parte*); Letter from Brian D. Weimer, Counsel for SES Americom, Inc., to Marlene H. Dortch, Secretary, FCC, GN Docket No. 18-122 (filed Sept. 27, 2023) (SES *Ex Parte*).

<sup>3</sup> We also direct relevant claimants to file all anticipated claims that may be incurred and/or paid after July 1, 2024, utilizing the methodology established herein, by the July 1, 2024 deadline. See *infra* at 6-7.

## II. BACKGROUND

On October 6, 2023, the RPC<sup>4</sup> submitted a report on the status of its C-band transition cost reimbursement program as of the close of Fiscal Year 2023, which outlined the successful completion of both the Phase I and II Accelerated Relocation Deadlines, the status of the RPC's reimbursement program and claims processed to date, and the number of, and anticipated accrual timeframe for, outstanding claims related to the C-band transition.<sup>5</sup> In its report, the RPC requested that the Bureau establish final claims submission deadlines for all transition-related reimbursement claims.<sup>6</sup> Specifically, the RPC requested that the Commission adopt the following claims submission deadlines as final and binding on all eligible incumbents or other eligible stakeholders:<sup>7</sup>

- February 5, 2024, for all reimbursement claims for costs incurred and paid by claimants as of December 31, 2023, including all lump sum election claims by incumbent earth station operators;<sup>8</sup> and
- September 30, 2024, for all reimbursement claims for costs incurred and paid by claimants after December 31, 2023, with the exhortation that claims be submitted to the RPC on a rolling basis within 30 days of being incurred.<sup>9</sup>

Prior to the filing of the RPC Request, AT&T and Verizon, jointly, and SES, individually, filed *ex partes* requesting that the Commission set various deadlines to facilitate the conclusion of the C-band

---

<sup>4</sup> The *3.7 GHz Report and Order* provided for the creation of an independent clearinghouse to administer, subject to the Commission's rules and oversight, the cost-related aspects of the transition in a fair and transparent manner, "to mitigate financial disputes among stakeholders, and to collect and distribute payments in a timely manner." *3.7 GHz Report and Order*, 35 FCC Rcd at 2446, para. 255; 47 CFR § 27.1414. A search committee appointed by the Commission selected CohnReznick LLP and subcontractors Squire Patton Boggs (US) LLP, and Intellicom Technologies, Inc., to serve as the clearinghouse; the Bureau subsequently determined that the search committee's selection satisfied the criteria set forth in section 27.1414 of the Commission's rules and described in the *3.7 GHz Report and Order*. *3.7 GHz Report and Order*, 35 FCC Rcd at 2450-52, paras. 273-80; *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, Order, 35 FCC Rcd 11859 (WTB 2020).

<sup>5</sup> RPC Request.

<sup>6</sup> *RPC Proposed Deadline Comment PN*; see also RPC Request at 8-9.

<sup>7</sup> See RPC Request at 9-10.

<sup>8</sup> See *RPC Proposed Deadline Comment PN* at 1-2; see also RPC Request at 6-8. As part of its claims processing procedures, the RPC deems actual costs that have been paid by the eligible incumbent, or other eligible stakeholder, as incurred. See C-band RPC, *RPC C-band Handbook (version 1.6)* at Section 3, available at <https://cbandrpc.com/resources/> (RPC C-band Handbook). Incumbent FSS earth station operators opting to receive a lump sum amount were required to make an irrevocable election and accompanying certification with the Commission by September 14, 2020. *Wireless Telecommunications Bureau Releases Final Cost Category Schedule for 3.7-4.2 GHz Band Relocation Expenses and Announces Process and Deadline for Lump Sum Elections*, GN Docket No. 18-122, IB Docket No. 20-205, Public Notice, 35 FCC Rcd 7967 (WTB 2020). The original lump sum election filing deadline of August 31, 2020 was later extended to September 14, 2020. *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, GN Docket No. 18-122, IB Docket No. 20-205, Order, 35 FCC Rcd 8856 (WTB 2020). The RPC C-band Handbook also specifies claims processing procedures for lump sum elections. RPC C-band Handbook at Section 5. The RPC began accepting reimbursement claims, including from lump sum electees, in August 2021. See Press Release, C-band RPC, *The Relocation Payment Clearinghouse to Accept Claims for Reimbursement and Lump Sum Payments Related to the C-band Relocation Program*, Press Release (Aug. 16, 2021), [https://cbandrpc.com/guidance/Communications/RPC\\_Press\\_Release\\_8.16.2021.pdf](https://cbandrpc.com/guidance/Communications/RPC_Press_Release_8.16.2021.pdf) (C-band Press Release).

<sup>9</sup> See *RPC Proposed Deadline Comment PN* at 1-2; see also RPC Request at 8-9 (stating that for "any reimbursable costs paid after December 31, 2023, the RPC encourages claimants to submit such claims within 30 days of payment and to not wait until the recommended September 30, 2024 deadline").

transition reimbursement process and wind down of the RPC's operations.<sup>10</sup> Specifically, AT&T and Verizon asked the Commission to: (1) set a deadline for submittal of reimbursement claims affording claimants with sufficient time to submit expenses to the RPC “but not otherwise protracting the reimbursement process;” (2) specify when the RPC should issue a final funding request to 3.7 GHz Service Licensees after reimbursement claims are submitted; (3) set a deadline for the RPC to process all claims; and (4) set a deadline for the RPC to finish its program audit.<sup>11</sup> In response, SES asserted that some of the proposals in the AT&T/Verizon Joint *Ex Parte* may be premature for the Commission to act on at this time, although SES broadly supported steps by the Commission that would expedite the RPC's reimbursement process and bring a timely close to the C-band transition.<sup>12</sup> SES also specifically asked the Commission to: (1) establish a 90-day clock by which the RPC must process each claim submitted after January 1, 2024; and (2) require the RPC to process by December 31, 2023 all claims that “already exceed or will exceed the 90-day processing deadline” as of January 1, 2024.<sup>13</sup>

On October 13, 2023, the Bureau issued a Public Notice seeking comment on the proposals advanced by the RPC, AT&T, Verizon, and SES.<sup>14</sup> The Bureau also sought comment on any other steps the Bureau should take pursuant to its delegated authority to facilitate the completion of the C-band transition reimbursement program and wind down of the RPC's operations in an efficient and timely manner in keeping with its remit to prevent fraud, waste, and abuse.<sup>15</sup>

In response, the Bureau received comments from Intelsat, SES, AT&T, Verizon, and CTIA.<sup>16</sup> All commenters largely supported the adoption of two final reimbursement claims submission deadlines, and most of the commenters agreed with the initial February 5, 2024 claims submission deadline proposed by the RPC for all reimbursement claims incurred and paid for as of December 31, 2023, including lump sum election claims.<sup>17</sup> As to the second proposed claims submission deadline, Verizon, AT&T, and

---

<sup>10</sup> AT&T/Verizon Joint *Ex Parte*; see also SES *Ex Parte* at 2-3 (agreeing with AT&T and Verizon “that the Commission should do all that it can to expedite the RPC's reimbursement process and bring a timely close to the C-band transition”).

<sup>11</sup> AT&T/Verizon Joint *Ex Parte* at 1. In their comments, AT&T, Verizon, and CTIA expressed support for the adoption of these various deadlines, and asked the Commission to direct the RPC to finish its program audit and close out the RPC program by December 31, 2024. See Comments of Verizon at 2, 7-9 (Verizon Comments); Comments of AT&T Services, Inc. at 7-8 (AT&T Comments); Comments of CTIA at 8-9 (CTIA Comments).

<sup>12</sup> SES *Ex Parte* at 2.

<sup>13</sup> SES *Ex Parte*. In support of its proposals, SES stated that it has submitted 1,311 claims for reimbursement to the RPC, and only 103 out of the 1,311 claims have been processed by the RPC, some of which were only processed in part. SES acknowledged, however, that the RPC, consistent with discussions it had with SES, prioritized high value claims first and that \$927 million of the \$1.322 billion in claims that SES had submitted has already been reimbursed. See *id.* at 1-2. SES also noted the length in pendency for certain claims, and that it expected to file another 1,000 future claims. *Id.*; see also Comments of SES Americom, Inc. at 2-3 (SES Comments) (explaining that “[b]arring extenuating circumstances, including incidents outside the control of the RPC—e.g., a non-responsive claimant, or a particularly complex issue—the RPC should be able to reach a determination on any claim within 90 days”). In their comments, Verizon, SES, and CTIA supported the adoption of a 90-day processing deadline. See Verizon Comments at 2-3, 6-7; AT&T Comments at 6-7; CTIA Comments at 6-8.

<sup>14</sup> *RPC Proposed Deadline Comment PN* at 1-3; see also AT&T/Verizon Joint *Ex Parte*; SES *Ex Parte*.

<sup>15</sup> See *RPC Proposed Deadline Comment PN* at 1-3; 47 CFR §§ 0.131, 27.1412(h), 27.1414(b)(3)(iv); 3.7 GHz Report and Order, 35 FCC Rcd at 2447-48, 2451, paras. 259, 262, 276.

<sup>16</sup> Comments of Intelsat License LLC (Intelsat Comments); SES Comments; Verizon Comments; AT&T Comments; CTIA Comments.

<sup>17</sup> See Verizon Comments at 2, 4-6; AT&T Comments at 2-6; CTIA Comments at 3-5; SES Comments at 1-2, 4 (“generally supporting the RPC's request for the Bureau to establish final claims submission deadlines”); Intelsat Comments at 2 (“agree[ing] with the RPC that the Commission should establish a final deadline by which all claims

(continued....)

CTIA asked the Commission to set July 1, 2024, rather than September 30, 2024, as the deadline for all reimbursement claims for costs incurred and paid by claimants after December 31, 2023.<sup>18</sup> In support of this deadline, commenters argued that because all physical transition-related costs would have been incurred by the end of 2023, it was unnecessary to give claimants until September 30, 2024 to submit other types of expenses that should already be known.<sup>19</sup> In advocating for these deadlines, commenters also asked, *inter alia*, that the Commission develop a process by which claimants can submit any foreseeable claims that may be incurred after both final claims submission deadlines have passed.<sup>20</sup> In addition, commenters asked the Commission to adopt deadlines, processes, and methodologies that they believe will enhance and expedite the RPC's claims review process.<sup>21</sup>

### III. DISCUSSION

*Final Claims Submission Deadlines.* As discussed further below, we find that establishment of two final claims submission deadlines will aid in facilitating a timely conclusion of the C-band reimbursement program and, as such, will further the Commission's goal of expediting the transition of this spectrum. We therefore adopt the following final claims submission deadlines: (1) **February 5, 2024**, for all reimbursement claims for costs incurred and paid by claimants as of December 31, 2023, including all lump sum election claims by incumbent earth station operators; and (2) **July 1, 2024**, for all reimbursement claims for costs incurred and paid by claimants after December 31, 2023.<sup>22</sup>

We find that adopting these two claims submission deadlines as final and binding on eligible claimants and other eligible stakeholders will aid in facilitating a timely conclusion of the C-band reimbursement program.<sup>23</sup> We believe that all C-band transition stakeholders, including eligible claimants, other eligible stakeholders, and the 3.7 GHz Service Licensees, will benefit from a concrete timeframe within which to discharge their remaining transition responsibilities and that the Commission's

---

must be submitted"). Intelsat did not comment on the specific deadlines proposed in the *RPC Proposed Deadline Comment PN*. See Intelsat Comments.

<sup>18</sup> See Verizon Comments at 2, 4-6; AT&T Comments at 2-6; CTIA Comments at 3-5.

<sup>19</sup> See Verizon Comments at 5; see also AT&T Comments at 3 (arguing that all costs incurred after December 31, 2023 should be "soft costs" associated with processing claims submitted by February 5, 2024 that could be submitted by July 1, 2024); CTIA Comments at 5-6 ("There is no reason to prolong the final claims submission deadline when this work has already been completed, the figures are known, and the costs incurred in 2024 are likely to be few.").

<sup>20</sup> Verizon Comments at 2, 4-6 ("the Commission should, as proposed, encourage all claimants to submit claims for costs incurred in 2024 within 30 days of such costs being incurred"); AT&T Comments at 2-6 ("the Commission and the RPC should anticipate and proactively address categories of post-December 31, 2023, claims"); CTIA Comments at 3-5; SES Comments at 4-7 (asking the Commission to adopt a "limited exception from the Final Claims Submission Deadlines for claims that cannot be timely submitted due to some unsatisfied procedural trigger in the RPC's control"); Intelsat Comments at 2-5 (stating that it will continue to incur transition related costs for telemetry, tracking, and command transmissions through December 2030, and milestone payments on insurance procured for its replacement satellites through 2025).

<sup>21</sup> Verizon Comments at 4-5 (asking the Commission to encourage claimants to submit claims for costs incurred in 2024 within 30 days of such costs being incurred); AT&T Comments at 7-8 (stating that the RPC should develop a phased shutdown plan, including establishing a benchmark for when emailing documents is more efficient and cost-effective than maintaining Coupa, its claims submission system, and reducing staff); Intelsat Comments at 5-6 (asking the Commission, among other things, to establish a net present value calculation for reimbursement of monthly recurring charges and a sampling methodology for processing of ground clearing costs and claims under \$5,000 per antenna).

<sup>22</sup> We also direct relevant claimants to file all anticipated claims utilizing the methodology established herein by the July 1, 2024 deadline. See *infra* at 6-7.

<sup>23</sup> *RPC Proposed Deadline Comment PN* at 1-2; see also RPC Request at 8-9; Verizon Comments at 4-6; AT&T Comments at 2-6; SES Comments at 1-2; CTIA Comments at 3-6.

goal for an expedited transition will be served by the establishment of specific claims submission deadlines as proposed by the RPC and relevant stakeholders.<sup>24</sup> We also agree with the RPC that establishment of such deadlines will promote administrative and regulatory efficiency, enabling the processing of claims as soon as possible, and ultimately facilitating the wind down of the C-band reimbursement program,<sup>25</sup> broad goals which are shared by all of the stakeholders that commented in this matter.<sup>26</sup>

We further find that the public interest will be served by balancing our goals of providing clarity to stakeholders and completing an expedited transition with the need to afford claimants sufficient time to submit their expenses to the RPC.<sup>27</sup> As indicated in the RPC Request, most of the reimbursement claims relating to the C-band transition have already accrued.<sup>28</sup> Further, the RPC has been accepting claims for processing since August 2021, such that all lump sum electees and many other eligible claimants and eligible stakeholders have had ample time within which to submit their claims to the RPC.<sup>29</sup> For any recently incurred claims, and to the extent that any additional claims will accrue by December 31, 2023,<sup>30</sup> we believe that a claims submission deadline of February 5, 2024 affords sufficient notice and time for such claimants to submit their claims to the RPC through its Coupa portal.<sup>31</sup> Our expectation is that all lump sum election claims and most other remaining reimbursement claims will be subject to this first

---

<sup>24</sup> See RPC Request at 9, n.12; Verizon Comments at 4-6; AT&T Comments at 2-6; SES Comments at 1-2; CTIA Comments at 3-6.

<sup>25</sup> RPC Request at 8.

<sup>26</sup> See AT&T/Verizon Joint *Ex Parte* at 1; SES *Ex Parte* at 2; Verizon Comments at 3-5, 8-9; AT&T Comments at 1-2, 7-8; SES Comments at 1-2, 7; CTIA Comments at 3-6; Intelsat Comments at 7.

<sup>27</sup> In their joint *Ex Parte*, AT&T and Verizon asked the Commission to “set a deadline for the submittal of cost claims, giving claimants sufficient time to submit their expenses to the RPC.” See AT&T/Verizon Joint *Ex Parte* at 1; SES *Ex Parte* at 2 (stating the “Commission should do all that it can to expedite the RPC’s reimbursement process”); Verizon Comments at 3-6; AT&T Comments at 2-6; Intelsat Comments at 1-2; SES Comments at 1-2; CTIA Comments at 3-6.

<sup>28</sup> See RPC Request at 3-8 (stating that “95 percent of anticipated Lump Sum Claims have been submitted”). As detailed *supra*, incumbent FSS earth station operators opting to receive a lump sum amount were required to make an irrevocable election and accompanying certification with the Commission by September 14, 2020, and the RPC has specific claims submission procedures relating to such elections. See *supra* note 8; RPC C-band Handbook at Section 5. The RPC also specifically noted that all five eligible space station operators have certified that they have completed their transition work associated with the Phase I and II Accelerated Relocation Deadlines, which means that all costs associated with their physical relocation work (including that of non-lump sum earth station operators, surrogates, and programmers) should have already been incurred and paid. See RPC Request at 6-9; RPC C-band Handbook at Section 3.

<sup>29</sup> See C-band RPC Press Release; RPC Request at 6-7.

<sup>30</sup> For example, the RPC Request observed that Fixed Service licensees must complete their relocation by December 5, 2023 and would thus have sufficient time to prepare and submit claims by the RPC’s proposed initial February 5, 2024 deadline. See RPC Request at 7 (indicating that only one Fixed Service licensee has submitted a reimbursement claim and the remaining Fixed Service licensees indicated that they will not submit any claims for reimbursement); see also *3.7 GHz Report and Order*, 35 FCC Rcd at 2465-66, para. 326.

<sup>31</sup> Verizon, AT&T, and CTIA agree that February 5, 2024 is a reasonable submission deadline for costs incurred and paid as of December 31, 2023. See Verizon Comments at 4-5; AT&T Comments at 2-3; CTIA Comments at 4. SES and Intelsat did not specifically comment on the proposed deadline dates. See *generally* SES Comments; Intelsat Comments.

February 5, 2024 deadline by virtue of when they accrued, and thus we need not further specify the type or categories of claims subject to this or the second deadline discussed below as suggested by AT&T.<sup>32</sup>

For reimbursement claims incurred and paid after December 31, 2023, including certain types of costs anticipated by eligible space station operators,<sup>33</sup> we ultimately agree with AT&T, Verizon, and CTIA that a final claims submission deadline of July 1, 2024 is both feasible and appropriate.<sup>34</sup> In order to facilitate the RPC's processing of such claims on a rolling basis, and to expedite the completion of the C-band reimbursement program, we strongly encourage any impacted claimants to submit any claims incurred after December 31, 2023, within 30 days of payment, and not wait until the July 1, 2024 deadline to do so.<sup>35</sup> For costs that may be incurred and/or paid after the deadline, claimants must submit their anticipated claims on or before July 1, 2024, using the process described below.<sup>36</sup> While the RPC's original proposal of September 30, 2024 was designed to accommodate as many expected non-recurring satellite operator costs as possible based upon advance information provided to the RPC by certain eligible space station operators, given the number and scope of such costs are expected to significantly diminish as 2024 progresses,<sup>37</sup> we believe that a final claims submission deadline of July 1, 2024 is achievable and will further our goal of bringing a timely closure to the C-band transition reimbursement program.

For the small number of anticipated claims that may be incurred and/or paid after July 1, 2024, whether a one-time or recurring cost, to be considered for reimbursement, the claimant must submit the claim(s) for RPC review through its Coupa portal and pursuant to its procedures before the July 1, 2024 deadline with the best supporting documentation and information available at that time.<sup>38</sup> We direct the RPC and relevant claimants to coordinate in advance of the submission of such claims and, as appropriate, on a process and timeline for submitting any additional documentation that the RPC may

---

<sup>32</sup> See AT&T Comments at 2-6 (agreeing that the “overwhelming volume of claims should fall within the first category—‘claims for costs incurred and paid by claimants as of December 31, 2023’”); Verizon Comments at 5 (stating “all physical transition-related costs would have been incurred in 2023 given the relocation transition has been completed”).

<sup>33</sup> Eligible space station operators have indicated to the RPC that they expect to incur costs relating to, *inter alia*, internal labor, project management, software licenses, financing costs, monthly recurring charges for teleports, and launch insurance brokerage costs after December 31, 2023. RPC Request at 8-9.

<sup>34</sup> Verizon Comments at 4-6; AT&T Comments at 2-6; CTIA Comments at 3-6.

<sup>35</sup> RPC Request at 9; Verizon Comments at 2; CTIA Comments at 5, 8 (suggesting that claimants should submit claims incurred in 2024 on a rolling basis within 30 days of being incurred).

<sup>36</sup> See Intelsat Comments at 2-5 (asking the Commission to establish a process for eligible, foreseeable claims to be submitted that will be incurred after the final submission deadline).

<sup>37</sup> RPC Request at 5-6.

<sup>38</sup> See RPC C-band Handbook. To clarify, so long as a claimant files an anticipated claim in Coupa with the best information and documentation available at the time of the July 1, 2024 final claims submission deadline, even if it does not yet fully meet the RPC's submission requirements for claims that are already incurred and paid, the RPC should accept the claim for review purposes and work with the claimant on a process and timeline for submitting any additional documentation that the RPC deems necessary to evaluate the eligibility of such claims for reimbursement and safeguard against fraud, waste, or abuse. The RPC fully retains its decision making ability in reviewing any such anticipated claims for conformity with the reimbursement standards established by the Commission in the *3.7 GHz Report and Order*. *3.7 GHz Report and Order*, 35 FCC Rcd at 2422-28, 2446-52, paras. 193-204, 255-283. We stress that this flexibility only applies to the small number of anticipated claims not yet incurred and/or that could not have been paid by the July 1, 2024 final claims submission deadline. For the vast majority of claims—any lump sum election or other claims incurred and paid prior to either the February 5, 2024 or the July 1, 2024 final claims submission deadlines—the RPC's normal claims submission procedures will apply.

deem necessary to evaluate the eligibility of such claims and safeguard against fraud, waste, or abuse.<sup>39</sup> We strongly caution claimants that all reimbursement claims, including the submission of any anticipated claims that have not been incurred and paid prior to July 1, 2024, remain subject to the RPC's review and approval, consistent with its delineated responsibilities and the standards articulated in the *3.7 GHz Report and Order*,<sup>40</sup> and that no inferences are intended nor should be taken about the eligibility of any claims for reimbursement as part of the C-band transition reimbursement program by virtue of their submission for RPC review. We also caution claimants that the submission of anticipated claims in this manner should not be viewed or used as a means to circumvent the finality of the final claims submission deadlines. Anticipated claims submitted through these means should be as specific in nature as possible and not open-ended, and claimants must still demonstrate that such claims meet the eligibility criteria established by the Commission in the *3.7 GHz Report and Order* in order to be reimbursed.<sup>41</sup> That said, we believe that there is sufficient latitude as part of the normal discourse between the RPC and claimants in the claims review process, and as part of our appeals process, to allow for subsequently amended claims in appropriate circumstances where an initial claim was timely filed.<sup>42</sup>

In addition, given that the RPC must complete its review of any such claims in the first instance, we believe that a waiver of sections 27.1415 or 27.1418(b)(2) of the Commission's rules,<sup>43</sup> as suggested by Intelsat, is not necessary for any anticipated claims to be submitted to the RPC for review, nor would it be appropriate at this time as we decline to prejudge the merits of any individual future claims, particularly in the absence of any specific factual record on such claims before us at this juncture.<sup>44</sup> To

---

<sup>39</sup> SES proposed in its comments that the Commission adopt a limited exception to the final claims submission deadlines for claims that SES suggests cannot be submitted due to a procedural issue within the RPC's control. SES Comments at 4-7. As part of the pre-coordination obligation we establish in this context, we direct the RPC and relevant claimants to also discuss any anticipated claims that are dependent on the disposition of other claims pending with the RPC and, to the extent needed, relevant claimants should submit such anticipated claims with the best supporting documentation and information available by July 1, 2024. Claimants should work with the RPC to expeditiously submit any additional documentation that the RPC deems necessary to evaluate the eligibility of such claims for reimbursement and safeguard against fraud, waste, or abuse. We reiterate that the RPC fully retains its decision making ability in reviewing any such anticipated claims for conformity with the reimbursement standards established by the Commission in the *3.7 GHz Report and Order*. *3.7 GHz Report and Order*, 35 FCC Rcd at 2422-28, 2446-52, paras. 193-204, 255-283.

<sup>40</sup> *3.7 GHz Report and Order*, 35 FCC Rcd at 2422-28, 2446-52, paras. 193-204, 255-283.

<sup>41</sup> *3.7 GHz Report and Order*, 35 FCC Rcd at 2422-28, paras. 193-204.

<sup>42</sup> See generally SES Comments at 5 (explaining that it is feasible that the RPC could request that the claimant answer questions and/or submit an amended claim during the claim review or dispute process); see also AT&T/Verizon Joint *Ex Parte* at 1 (stating that the "RPC has been diligent in reaching out to all potential claimants for C-band reimbursement costs"); Intelsat Comments at 1 (describing that Intelsat has worked closely with the RPC to ensure that Intelsat's claims are timely submitted and to respond to any of the RPC's questions or requests).

<sup>43</sup> 47 CFR § 27.1415 (documentation of expenses); *id.* § 27.1418(b)(2) (requiring 3.7 GHz Service Licensees to pay their *pro rata* share of: "[t]he actual relocation costs, provided that they are not unreasonable, for eligible space station operators and incumbent fixed service licensees; [and] the actual transition costs, provided they are not unreasonable, associated with the necessary migration and filtering of incumbent earth stations").

<sup>44</sup> Intelsat Comments at 4. As noted above, the RPC should not deem the small number of anticipated claims not yet incurred and/or that could not have been paid by the July 1, 2024 final claims submission deadline as ineligible for submission for RPC review solely because they have not yet been incurred and/or paid. See *supra* note 38. All submitted claims remain subject to the RPC's review and approval, consistent with its delineated responsibilities and the standards articulated in the *3.7 GHz Report and Order*. *3.7 GHz Report and Order*, 35 FCC Rcd at 2422-28, 2446-52, paras. 193-204, 255-283. In a similar vein, we decline to adopt Intelsat's proposal that we establish in advance a net present value calculation with a discount rate mirroring the rate used to calculate each satellite operator's financing expenses for recurring claims. Intelsat Comments at 5. Claimants seeking reimbursement for financing or other soft costs are directed to incorporate these issues and all other relevant factors into their claims as submitted to the RPC for its consideration prior to the relevant final claims submission deadline.

the extent that the relevant claimant and/or any 3.7 GHz Service Licensee(s) disagree with the RPC's initial determination on whether such claims are reimbursable, they may seek recourse from the RPC and the Bureau pursuant to our existing appeals procedures.<sup>45</sup>

To reiterate, all C-band transition claimants and other eligible stakeholders **must** submit all reimbursement claims to the RPC, including for lump sum elections, by the relevant deadline as set forth above. So long as a reimbursement claim is submitted to the RPC through its Coupa portal and pursuant to its procedures and our above guidance by the relevant deadline,<sup>46</sup> even if the RPC later finds upon review that additional information is needed from the claimant in order to process the claim, a claimant's submission of a claim through Coupa and pursuant to the RPC's procedures and our above guidance is sufficient to meet our deadline requirement. We direct the RPC that it should consider any claims which are not submitted in this manner by the relevant deadline as untimely, and the RPC need not process or reimburse such claims. To the extent there is any question about which claims submission deadline is the relevant one for any given reimbursement claim, the RPC will make the initial determination, subject to Bureau review on appeal pursuant to our established procedures.<sup>47</sup> We reiterate, however, our expectation that all lump sum election claims and most other remaining reimbursement claims will be subject to the February 5, 2024 deadline by virtue of when they accrued.

*Other Proposals.* In their *ex parte*, AT&T and Verizon requested that the Commission adopt certain deadlines to facilitate the conclusion of the C-band transition reimbursement process.<sup>48</sup> In particular, AT&T and Verizon requested that the Commission: (1) specify when the RPC should issue a final funding request to C-band licensees after the cost claims are submitted; (2) set a deadline for the RPC to process all claims; and (3) set a deadline for the RPC to finish its program audit, to ensure all RPC operations come to a close in a timely manner.<sup>49</sup> SES, however, argued that some of the proposals in the AT&T/Verizon Joint *Ex Parte* may be premature at this time, while also urging the Commission to set a 90-day deadline by which all claims submitted on or after January 1, 2024, must be processed by the RPC.<sup>50</sup> Intelsat further recommended certain procedural improvements that it believes would simplify the RPC's review process.<sup>51</sup>

We agree that AT&T's and Verizon's proposals that the Commission specify when the RPC should issue a final funding request, set a deadline for the RPC to process all claims, and set a deadline for the RPC to finish its program audit are premature and, accordingly, we decline to make a

---

<sup>45</sup> To the extent a claimant or one or more responsible 3.7 GHz Service Licensees wish to dispute the RPC's determination with respect to a submitted claim, they must file a notice of objection as required by section 27.1421(a) of the Commission's rules. 47 CFR § 27.1421(a)-(c). The RPC may in the first instance mediate any disputes or refer the disputant parties to alternative dispute resolution fora. 47 CFR § 27.1421(b). Subsequent appeals to the Bureau may be submitted pursuant to the procedures set forth in the *RPC Appeals Procedures Public Notice*, which established the procedures for the filing and processing of challenges to decisions made by the RPC. 47 CFR § 27.1421(c); *see also Wireless Telecommunications Bureau Announces Procedures for Appeals of Relocation Payment Clearinghouse Decisions*, WT Docket No. 21-333, Public Notice, 37 FCC Rcd 3956 (WTB 2022) (*RPC Appeals Procedures Public Notice*).

<sup>46</sup> *See* RPC C-band Handbook.

<sup>47</sup> *See* *RPC Appeals Procedures Public Notice*.

<sup>48</sup> *See* AT&T/Verizon Joint *Ex Parte*.

<sup>49</sup> AT&T/Verizon Joint *Ex Parte* at 1; *see also* AT&T Comments at 7-8; Verizon Comments at 2-3, 6-9; CTIA Comments at 6-9.

<sup>50</sup> SES *Ex Parte* at 2-3; SES Comments at 2-3.

<sup>51</sup> Intelsat Comments at 2-6.



determination on these proposals at this time.<sup>52</sup> As previously noted, the RPC anticipates that it will receive additional reimbursement claims over the coming months.<sup>53</sup> The review and disposition of those reimbursement claims will depend on a variety of factors, such as the timing and volume of when claims are submitted, whether claimants include all of the necessary information for review of the claim, and the timely resolution by claimants of supplemental information requests from the RPC.<sup>54</sup> Other issues, including the potential sale or disposition of any spare satellites, may likewise affect the overall timeline for completion of the C-band transition reimbursement program.<sup>55</sup> As such, we agree that it is premature to set a final funding request date, or establish a deadline for the RPC's final program audit, because there are too many variables that could potentially alter those dates if we were to adopt them at this time. Therefore, we will defer action on these proposals and continue to monitor the reimbursement program's progress, while reserving the option to revisit these issues in the future. We also note that the *3.7 GHz Report and Order* anticipates that the RPC will file a request to wind down and suspend its operations at the appropriate time, and we instruct the RPC to consult with the Bureau well in advance of any such request.<sup>56</sup>

We likewise defer action on either a general or specific deadline by which the RPC must process individual reimbursement claims.<sup>57</sup> As discussed above, we find that there are multiple variables outside of the RPC's control that could impact its ability to review and make a determination on a claim within a 90-day period, including the specific timing and volume of submitted claims, whether claimants include all of the necessary information for review of the claim, and the timeliness by which claimants respond to supplemental information requests from the RPC. Further, while we do not wish to protract the reimbursement process, we note that each claim is different and may necessitate different levels of review to prevent fraud, waste, or abuse. In this regard, we recognize that, pursuant to discussions with SES and other eligible space station operator claimants, the RPC initially prioritized review of their more complex and high value claims, which has resulted in a large number of smaller value claims which remain pending review.<sup>58</sup>

While we do not believe that adoption of either a general or specific deadline for RPC processing is appropriate at this time, and could inadvertently delay the review process to the extent the Bureau was called to resolve any timing disputes, we direct the RPC to continue expeditiously processing both pending and future reimbursement claims upon receipt of all required information from claimants, while maintaining all necessary safeguards to prevent fraud, waste, and abuse. The RPC should prioritize the processing of any residual pending claims submitted prior to the release of this Public Notice with the goal of resolution by March 30, 2024, and strive to resolve any later submitted claims within 90 days

---

<sup>52</sup> AT&T/Verizon Joint *Ex Parte* at 1; *see also* AT&T Comments at 7-8; Verizon Comments at 2-3, 6-9; CTIA Comments at 6-9.

<sup>53</sup> RPC Request at 5-6 (showing a forecast of remaining claims through December 31, 2024); *see also* SES *Ex Parte* at 2-3 (stating that "the RPC will receive many more claims in the coming months" and that "SES will submit over 1,000 additional claims for reimbursement"); AT&T/Verizon Joint *Ex Parte* at 1 (noting that "many projected claims remain outstanding"); SES Comments at 2.

<sup>54</sup> RPC Request at 9-10.

<sup>55</sup> RPC Request at 9-10.

<sup>56</sup> *3.7 GHz Report and Order*, 35 FCC Rcd at 2452, para. 283.

<sup>57</sup> AT&T/Verizon Joint *Ex Parte* at 1 ("The FCC should also set a deadline for the RPC to process all claims."); SES *Ex Parte* at 2-3 (proposing a 90-day clock, with the option to request more time for review, from submission of a reimbursement claim to complete RPC review and processing, with a specific deadline of December 31, 2023 for all claims pending with the RPC for 90 days or more by January 1, 2024); AT&T Comments at 6-7; Verizon Comments at 2, 6-7; SES Comments at 2-3; CTIA Comments at 7-8.

<sup>58</sup> SES *Ex Parte* at 1-3 (noting that many of the remaining claims "represent less complicated, more uniform C-band expenditures"); SES Comments at 2-3.

from submission. By the same token, claimants are instructed to ensure that their claims are timely submitted to the RPC with all required documentation, and to promptly respond to the RPC's requests for supplemental information, which in most cases should be no later than 30 days from any such request.<sup>59</sup> To the extent that the claimant is not responsive to the RPC's requests for supplemental information in a timely manner, the RPC may process related claims on the basis of the information previously submitted by such claimant.

Finally, we decline to require any specific process measures that may unnecessarily limit the RPC in its ability to initially review claims or its duty to prevent fraud, waste, or abuse. While we strongly encourage the RPC to voluntarily adopt streamlined processing procedures where it believes they may appropriately expedite claims processing without sacrificing the integrity of the C-band transition reimbursement program—including but not limited to those proposed by Intelsat<sup>60</sup>—we defer to the RPC's discretion as to the appropriate measures to implement for any given category of claims. We also clarify that nothing in this Public Notice is intended to limit the RPC's ability to perform any necessary tasks to either: (1) recoup appropriate costs for the benefit of the C-band transition reimbursement program and the 3.7 GHz Service Licensees, such as through the sale of unused satellites; (2) as appropriate, perform true-ups, offsets, or other accounting practices relating to previously reimbursed claims based upon subsequent developments; and (3) evaluate and reconcile the 2% cap on soft costs as the reimbursement program winds down.<sup>61</sup> We will continue to oversee the RPC's progress with a view towards facilitating the timely conclusion of the C-band transition reimbursement program and wind down of the RPC's operations, and encourage the RPC to tailor its operations over time as it continues to make progress in bringing this program to a successful resolution.<sup>62</sup>

\*\*\*

*Congressional Review Act.* The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is “non-major” under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this Public Notice to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

*People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Government Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

*Additional Information.* For further information concerning this Public Notice, please contact Susan Mort, Wireless Telecommunications Bureau, (202) 418-2429, [Susan.Mort@fcc.gov](mailto:Susan.Mort@fcc.gov).

-FCC-

---

<sup>59</sup> We recognize that in a limited number of anticipated claims, more than 30 days may be necessary for claimants to respond to an RPC request for supplemental information. We direct claimants in such cases to respond to the RPC as soon as possible given the specific facts and circumstances applicable to those claims.

<sup>60</sup> See Intelsat Comments at 6 (proposing the issuance of decisional memoranda once for each category of claim, and utilizing a sampling method for ground clearing costs and claims under \$5,000 per antenna).

<sup>61</sup> *3.7 GHz Report and Order*, 35 FCC Rcd at 2424-25, paras. 197-98.

<sup>62</sup> See AT&T/Verizon Joint *Ex Parte* at 1; SES *Ex Parte* at 2; AT&T Comments at 7-8; Verizon Comments at 3-4; CTIA Comments at 9-13; SES Comments at 7; Intelsat Comments at 7.